	<h1 style="text-align: center;">S.O.P</h1>		Effective Date:
			Number: 2.13
<h2 style="text-align: center;">Early Warning System</h2>			
Issuing Authority:			
Chief Michael Reilly			
Revision Date	Page Numbers	Section s	Approved

I. PURPOSE

The purpose of this directive is to establish this agency's policy and procedures concerning a personnel early warning system.

II. POLICY

It is the policy of this department to implement and utilize an early warning system for tracking and reviewing incidents of risk and provide timely intervention consistent with Attorney General Guidelines.

III. GENERAL

a. An early warning system is designed to detect patterns and trends before the conduct escalates into more serious problems. The primary intent is to address potential problems through the use of appropriate management and supervisory intervention strategies before negative discipline become necessary.

b. All levels of supervision, especially first line supervisors, are expected to recognize potentially troublesome officers, identify training needs and provide professional support in a consistent and fair manner. Emphasis should be placed on anticipating problems among officers before they result in improper performance or conduct.

c. Many different measures of officer performance (actions or behaviors) can be regularly examined for patterns or practices that may indicate potential problems. These performance measures include, but are not limited to the following documented indicators:

1. Internal affairs complaints against the officer, whether initiated by another officer or by a member of the public;

2. Civil actions filed against the officer;
3. Criminal investigations of or criminal complaints against the officer;
4. Any use of force by the officer that is formally determined or adjudicated (for example, by internal affairs or a grand jury) to have been excessive, unjustified, or unreasonable;
5. Domestic violence investigations in which the officer is an alleged subject;
6. An arrest of the officer, including on a driving under the influence charge;
7. Sexual harassment claims against the officer;
8. Vehicular collisions involving the officer that are formally determined to have been the fault of the officer;
9. A positive drug test by the officer;
10. Cases or arrests by the officer that are rejected or dismissed by a court;
11. Cases in which evidence obtained by an officer is suppressed by a court;
12. Insubordination by the officer;
13. Neglect of duty by the officer;
14. Tardiness;
15. Claims of duty-related injury;
16. Unexcused absences by the officer; and
17. Any other indicators, as determined by the agency's chief executive.

d. The early warning system is primarily the responsibility of the internal affairs unit; but, any supervisor may initiate the early warning process based upon their own observations.

e. The Chief of Police shall cause an annual evaluation of the early warning system to assess its effectiveness. The Internal Affairs Supervisor shall prepare a written report by February 1st of the prevailing year noting the previous year's participants and outcomes. Modifications to this process should be implemented as necessary at the earliest opportunity.

IV. PROCEDURES



- a. The early warning system review process will be triggered when three separate instances of performance indicators (as listed above) occur within any twelve month period. If one incident triggers multiple performance indicators, that incident shall not be double or triple counted, but instead shall count as only one performance indicator.
- b. Once an officer has displayed the requisite number of performance

indicators necessary to trigger the early warning system review process the appropriate supervisor will be notified and provided with all relevant information. The supervisor will cause a review of the data provided, along with more detailed information available from department records, in consultation with the internal affairs unit. If this review indicates that the early warning system flag is unwarranted, the supervisor will report such, in writing, to the internal affairs unit.

- c. If the review reveals that an officer has violated department directives, the supervisor in consultation with the internal affairs unit should proceed with an internal investigation. If the review reveals that the officer has engaged in conduct that indicates a lack of understanding or inability to comply with accepted procedures, the supervisor shall consult with the internal affairs unit to determine the appropriate course of remedial action.
- d. When the review process is initiated, personnel assigned to oversee the system should:
 1. Formally notify the subject officer in writing (If the notification to the officer could jeopardize an ongoing criminal investigation the County Prosecutor may permit delayed notification to the officer or delayed initiation of the early warning system review process);
 2. Conference with the subject officer and appropriate supervisory personnel;
 3. Develop and administer a remedial program including the appropriate remedial/corrective actions listed below;
 4. Continue to monitor the subject officer for at least six months, or until the supervisor concludes that the officer's behavior has been remediated (whichever is longer);
 5. Document and report findings to the appropriate supervisory personnel and, if warranted, the internal affairs unit. Any statement made by the subject officer in connection with the early warning system review process may not be used against the subject officer in any disciplinary or other proceeding.

Remedial/corrective action may include but is not limited to the following:

1. Training or re-training;
2. Counseling;
3. Intensive supervision;

4. Fitness-for-duty examination;
 5. Any other appropriate remedial or corrective action
- e. When remedial action has been undertaken, the internal affairs unit shall be formally notified in writing of such efforts. This information shall be recorded in the internal affairs index file system. No entry should be made in the employee's personnel file, unless the action results in a sustained investigation. If the remedial action is a training program, attendance and completion of that program should be noted in the officer's training record. Documentation is the key to a successful outcome.
- f. The internal affairs unit should review an individual employee's history anytime a new complaint is made. Using this information, internal affairs staff may be able to identify employees who may need counseling, training or other remedial action even before such is indicated by the early warning system's ongoing data review.
- g. When under early warning system monitoring, the employee's direct supervisor shall meet with the employee to discuss the situation in depth to:
1. Identify problems or potential problems
 -  Determine short and long-term goals for improvement
 -  Come to a consensus commitment on a plan for long-term improved performance
 4. Advise of the monitoring process and the repercussions of future sustained transgressions
- h. The meeting shall be thoroughly documented and forwarded to the internal affairs supervisor through the chain of command. The affected employee and supervisor shall meet on a regular basis, minimally monthly, to discuss progress towards the agreed upon goals and objectives.
- j. The internal affairs supervisor shall ensure that regular monthly progress/status reports are submitted by the immediate supervisor concerning the employee's progress.
- k. An additional six (6) months of documented monitoring is required following removal from early warning system status. Monthly monitoring reports from the direct supervisor are required.
- l. All reports shall be eventually forwarded to the internal affairs office through the regular chain of command for review. These reports have the same confidential status as internal affairs documents.

m. At least every six months, the internal affairs supervisor shall audit the agency's tracking system and records to assess the accuracy and efficacy of the tracking system.

V. Notification to Subsequent Law Enforcement Employer

If any officer who is or has been subject to an early warning system review process applies to or accepts employment at a different law enforcement agency that the one where he or she underwent the early warning system review process, it is the responsibility of the prior or current employing law enforcement agency to notify the subsequent employing law enforcement agency of the officer's early warning system review process history and outcomes. Upon request, the prior or current employing agency shall share the officers early outcome system review process files with the subsequent employing agency.

VI. Notification to County Prosecutor

Upon initiation of the early warning system review process, the agency's chief executive or a designee shall make a confidential written notification to the County Prosecutor or his/her designee of the identity of the subject officer, the nature of the triggering performance indicators, and the planned remedial program. Upon completion of the early warning system review process, the agency's chief executive shall make a confidential written notification to the County Prosecutor or his/her designee of the outcome of the early warning system review, including any remedial measures taken on behalf of the subject officer.

VII. Public Accessibility and Confidentiality

All early warning system policies adopted by law enforcement agencies shall be made available to the public upon request and shall be posted on the agency's website. All written reports created or submitted pursuant to this Directive that identify specific officers are confidential and not subject to public disclosure.